

set forth more fully below. Reconsideration and allowance of this application are respectfully requested.

The Examiner objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 1, 9, 13, 17, 15, 19, 35, 25 and 26. The Examiner also objected to the dimensions mentioned in Figures 3-5 because they are not completely discussed in the specification. Applicant herewith submits a Drawing Change Authorization Request to delete the extraneous references to items 1, 13, 15, 25, 26 and 35. However, item 9 is described at page 3, line 11, and item 17 is discussed at page 10, paragraph 3. With regard to the dimensions noted on FIGs. 3-5, there is no known prohibition against having dimensions in patent drawings. Dimensions are not “reference characters” and are not subject to 37 CFR 1.84(p)(5). Granted, the dimensions should not be placed in the drawing so as to interfere with its comprehension. To avoid any doubt, the Drawing Change Authorization Request submitted herewith adds the inch symbol (“”) to each dimension to avoid its being confused as a reference character.

The Examiner also reminded Applicant of the proper language and format for an abstract of the disclosure. A Substitute Abstract is provided herewith on a separate sheet of paper.

The Examiner objected to the disclosure and claim 2 for misspelling of the word champfer (multiple times). The specification and claim 2 are herein amended to include the proper spelling.

The Examiner also rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,410,214 to Geschwender. According to the Examiner, Geschwender ‘214

shows every recited element of claim 1, including an articulating chair (1) comprising a knockdown frame having a pair of separate U-shaped frame portions (5,7) with chamfered ends.

However, the cover shown by Geschwender '214 is an upholstered cover that cannot be easily removed from the frame for cleaning or replacement. In contrast, the cover pattern of the present invention is closed at one end and open at the other end allowing it to be slipped on and off the frame, and it has an integral end portion or flap 37 at its open end for covering the outer end of the frame. It can be easily removed from the frame for cleaning or replacement. The improved cover is a result of a pattern design by which panels are sewn together. The paneled pattern is recited in claim 1, which states..."a removable cover formed to fit over the frame and to hold said component parts in assembly, said cover including *a top panel section sewn against a bottom panel section, a side panel section sewn therebween, and a cushion enclosed there between, said cover being insertable over said frame and swingable relative to the frame*". The recited pattern construction simply is not shown in Geschwender '214, and claim 1 is not anticipated..

The Examiner also rejected claims 2 and 6 under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 4,410,214 to Geschwender in view of the Zavaglia '894 reference. According to Merriam Webster, the word "Chamfer" means beveled. The present specification is replete with references as to how the U-shaped frame portions are chamfered about their ends to ease installation of the cover and to prevent tearing. This was an essential feature of the present invention, and it was not a self-evident or obvious improvement. The '214 Geschwender patent simply does not teach or suggest chamfered ends. Zavaglia '894 teaches a joint for a billiard cue that has a beveled end. This is an unrelated purpose and is not at all suitable for the

present task. Indeed, the reference is so entirely unrelated as to be non-analogous prior art.

Therefore, the Zavaglia '894 reference adds nothing to the '214 Geschwender patent, and as discussed above claim 2 is patentably distinguished.

Claim 6 is directed to Zinc plating of the frame portions to ease assembly and to prevent tearing of the cover. As stated in the present specification, it has been found that the Zinc skin is an excellent fabric lubricant for the cover. Thus, the Zinc plating eases assembly of the frame components as well as installation of the cover. While it may have been obvious in other contexts to use Zinc plating because of its rust-free properties, there was no motivation to incorporate Zinc-plating in the present context inasmuch as such frames are typically formed of aluminum which is already rust-free. In the present context, the Zinc lubricates around the joints to prevent tearing of the fabric. One skilled in this particular art would not have known as much, and indeed it took the present inventor years of testing and experimentation to come upon it. This feature is not taught or suggested in either the Zavaglia '894 or the '214 Geschwender patents, and claim 6 is patentably distinguished. .

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In view of the above amendments and remarks, it is believed that this application is now in condition for allowance, and such a Notice is respectfully requested.

Respectfully submitted,

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APPENDIX A: REDLINED SPECIFICATION

Redlined version of the paragraph beginning at line 1 of sheet 5:

--upward and the cushion extends forwardly from the frame to provide a seat, and a second position in which in which the seat portion of the frame extends upwardly and the backrest portion slopes downwardly with the cushion resting thereon to present a reclining surface. The U-shaped frame portions are cham[pl]fered about their ends to ease installaton of the cover and to prevent tearing. In addition to the cham[pl]fer, the frame sections are zinc plated to form a continuous coating, the result being a lubricating protective film that further eases installation of the cover and prevents tearing.--

Redlined version of the paragraphs beginning at line 4 of sheet 8 and running to line 25 of sheet

9:

--FIG. 7 is a side perspective illustration of the knock-down frame 4. Knock-down frame 4 generally includes a pair of U-shaped frame portions 5 and 7. Both of these frame portions are of round metallic tubing of substantially uniform diameter along the entire length. The tubes are preferably cold forged. A pair of generally L-shaped connectors 9 connect the ends of the frame portions 5, 7 to form a rigid L-shaped frame as viewed from the side. The connectors 9 are also cold forged elbows, and are fitted to be telescopically received in the ends of the tubular frame portions 5, 7. The included angle between the legs of each connector 9 is about 70-80°. In accordance with the present invention, the annular rim at both ends of both of the U-shaped frame portions 5 and 7 is outwardly cham[pl]fered or beveled.

→ In addition to cham[pl]ferring, it has been found that Zinc-plating is a great benefit. The value of Zinc as a rust-proof finish for steel has long been known. This is because the zinc forms a continuous coating over the whole article. Specifically, Zinc creates a tenacious oxide skin. The rust proof qualities of the coating prolongs the life of the tubing. It has also been found that the Zinc skin is an excellent fabric lubricant for the cover. The Zinc plating eases assembly of the

frame components as well as installation of the cover. Once the cover is on the Zinc lubricates around the joints to prevent tearing.

FIG. 8 illustrates a Zinc-plated and chamfered end of an exemplary frame member 5 in accordance with the present invention. The chamfering is best accomplished by grinding the rim around its periphery. The chamfered ends of the U-shaped frame portions 5 and 7 greatly facilitates insertion of the cover 2 as will be described, and it reduces the risk of tearing of the fabric cover 2.

FIGs. 9-11 are perspective drawings showing the installation procedure for cover 2 onto frame 4. As shown in FIG. 9, the open end of cover 2 is inserted over the seat portion 5 of frame 4 (or the seat portion 5 is inserted into the cover).

As shown in FIG 11, cover 2 is slid upward over the seat portion 5. The backrest portion 7 of frame 4 is installed and cover 2 is slid upward over backrest 7 until the entire frame 4 is completely enclosed.

As shown in FIG. 12, the flap at the open end of cover 2 is then inverted over the end of the frame 2 to secure the cover 2 in place over the frame 4. The installation procedure for cover 2 is similar to that shown for the '214 patent to Geschwender. However, the present cover pattern in conjunction with the chamfered ends of the U-shaped frame portions 5 and 7 makes insertion of the cover 2 a simple matter. Once cover 2 is installed, the leisure chair may be used in one of two positions: 1) a "sitting" position wherein the seat portion of frame 4 rests flat on the floor and the backrest portion extends upwardly and rearwardly with the cushion portion of cover 2 extending forwardly from the frame 2 and resting on the floor; and 2) a "reclining" position in which the seat portion of the frame 4 extends up from the floor and the backrest portion slopes down from the support portion to the floor with the cover 2 presenting a reclining surface. The cushion is swung relative to the frame 4 so that it rests against the frame 4 to provide a headrest for one reclining on the chair.--

APPENDIX B: REDLINED CLAIMS

Redlined version of claim 2:

2. (Once amended) The articulating chair according to claim 1, wherein said pair of separate generally U-shaped frame portions are cham[p]fered about their ends.